

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

PATRICIA PFAU,

Plaintiff,

v.

SODEXO OPERATIONS, LLC,

and

MARK COULTER,

Defendants.

Case No. CIV-14-1376-C

**AFFIDAVIT OF MARK COULTER**

The undersigned, of lawful age, duly sworn, makes this Affidavit based on his personal knowledge and belief:

1. My name is Mark Coulter and I am the General Manager at the Sodexo location in Norman, Oklahoma.

2. On Thursday, September 11, 2014, I attended a meeting with Patty Pfau and Toni Peery in my office.

3. On November 18, 2014, I testified at an unemployment hearing about the details of my meeting with Ms. Pfau on September 11, 2014, as well as her resignation later that same day. I have reviewed the transcript of that hearing (which I understand will be attached to court papers filed in this action), and I can attest to the fact that the written transcript is an accurate and complete transcription of the testimony given at the unemployment hearing on November 18, 2014.

4. At the unemployment hearing I provided truthful and accurate testimony, and I therefore adopt and affirm my hearing testimony as part of this affidavit.


5. To further amplify upon my testimony at the hearing, I would like to also state, under oath, that I never attempted to make or threaten physical contact with Ms. Pfau at any time. I also never intended to put her in fear of immediate or imminent physical contact - harmful, offensive, or otherwise - and I do not believe that I did so.

6. In my view, Ms. Pfau could not have reasonably thought I was going to make physical contact with her when I hit my desk with my hand, because - among other things - she was standing in the doorway, several feet away, at the time.

7. The attached photograph (identified as "Exhibit A") shows me sitting at the same desk and in the same location as I was sitting on September 11, when meeting with Ms. Pfau and Ms. Peery. (I have since moved offices, but my old desk is in the same place today as it was when we were meeting last September.)

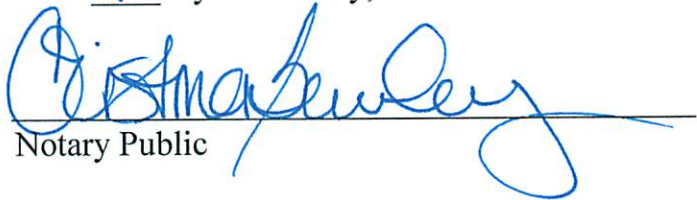
8. As for the specific distance between my then-desk and the doorway (where Ms. Pfau was standing), we used a tape measure today and determined that the doorway is 8 feet 2 inches away from the desk. <sup>Where my hand was on the</sup> (The photograph, attached as "Exhibit B" to this affidavit, was taken today and accurately depicts me reading the tape measure that stretched from the doorway to the desk.)

Further Affiant Sayeth Not.

  
Mark Coulter

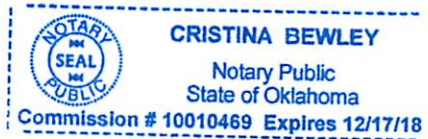
STATE OF OKLAHOMA                    )  
  )   SS:  
COUNTY OF OKLAHOMA                )

Subscribed and sworn to before me this 9<sup>th</sup> day of January, 2015.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

12/17/18  
(SEAL)







**EXHIBIT**

**A**

exhibitsticker.com





**EXHIBIT**

**B**

exhibitsticker.com